

Central Intelligence Agency



Washington, D.C. 20505

OLL 84-0341/2

5 APR 1984

HH. ER 84-857
OLL 84-0204
OLL 84-0344
ER 84-3841/1

The Honorable Edward P. Boland, Chairman
Permanent Select Committee on Intelligence
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

This is to respond to your request that the Agency provide the Committee with certain information as to (1) the anticipated impact of the pending Freedom of Information Act (FOIA) legislation on current Central Intelligence Agency (CIA) FOIA litigation, and (2) the continued availability of information previously released to the public.

Concerning your request for a list of each of our pending FOIA cases and how each would be impacted, I understand that this is no longer a matter of concern. H.R. 5164, as introduced recently by you and Representatives Mazzoli, Robinson, and Whitehurst, limits the retroactivity of the legislation to cases filed after 7 February 1984, thus leaving all pending cases subject to the current law.

In response to the second part of your request, we have set forth in the enclosure our best analysis as to whether the documents referred to in the list you provided us would continue to be available under the FOIA legislation being considered. I trust that you will find this analysis to be helpful.

I look forward to working with you and the other Members of the Committee in securing enactment of meaningful legislative relief.

Sincerely,

/s/ Clair E. George

Clair E. George
Director, Office of Legislative Liaison

Enclosure



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Remarks

Executive Secretary

2/17/84

Date

3637

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WASHINGTON, D.C. 20515

PAGE

10

THOMAS K. LATIMER, STAFF DIRECTOR
MICHAEL J. O'NEIL, CHIEF COUNSEL
STEVEN K. BERRY, ASSOCIATE COUNSEL

February 16, 1984

Honorable John N. McMahon
Deputy Director of Central Intelligence
Washington, D. C. 20505

Dear Mr. McMahon:


Enclosed is a copy of your recent testimony before the Permanent Select Committee on Intelligence. Please review and return it with your corrections entered directly onto the transcript in ink. Do not retype the entire transcript. If necessary, an insert should be stapled onto the page front, clearly marked to identify the point of insertion.

Kindly return the transcript in time to reach the Committee by February 27, 1983.

If we do not hear from you by that time, we shall assume that you have no corrections or changes, and the transcript will be sent to the printer as it is. Your transcript must be returned, however, whether or not you desire any changes. It should not be duplicated nor distributed in its present form.

Thank you for your participation in the hearing and for your cooperation.

Sincerely,


Thomas K. Latimer
Staff Director

Enclosure

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A84-414

Stenographic Transcript of

HEARINGS

Before the

Subcommittee on Legislation

of the

Permanent Select Committee on Intelligence

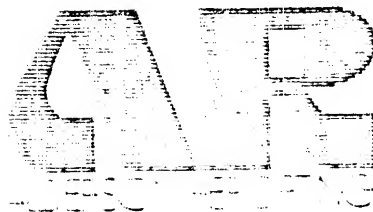
U.S. HOUSE OF REPRESENTATIVES

PROPOSALS TO EXEMPT CERTAIN CIA OPERATIONAL FILES
FROM SEARCH, REVIEW AND DISCLOSURE
UNDER THE FREEDOM OF INFORMATION ACT

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Washington, D.C.

Wednesday, February 8, 1984



(202) 623-9300
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Central Intelligence Agency



Washington, D.C. 20505

8 FEB 1984

1H. ER 84-384 + 11

OLL 84-0244

The Honorable Edward P. Boland, Chairman
 Permanent Select Committee on Intelligence
 House of Representatives
 Washington, D.C. 20515

Dear Mr. Chairman:

I was extremely pleased to receive your invitation to testify before the Subcommittee on Legislation regarding H.R. 3460 and H.R. 4431. These proposals, which seek to provide the Central Intelligence Agency with substantial relief from the unique burdens it faces under the Freedom of Information Act, are of vital concern to me.

Unfortunately, I will not be available to appear on 8 February. Therefore, I have asked Deputy Director John N. McMahon to testify on behalf of the Agency.

I am gratified by the prompt attention being given by the Committee to this important legislation and I look forward to working with you and the entire Committee in securing early enactment of appropriate and meaningful relief.

Sincerely,

W. J. Casey
 William J. Casey
 Director of Central Intelligence

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Remarks

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Executive Secretary

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THOMAS K. LATIMER, STAFF DIRECTOR
MICHAEL J. O'NEIL, CHIEF COUNSEL
S. DEN K. BERRY, ASSOCIATE COUNSEL

February 2, 1984

Honorable William J. Casey
Director of Central Intelligence
Washington, D.C. 20505

Dear Mr. Casey:

As you know, the Subcommittee on Legislation of the House Permanent Select Committee on Intelligence will hold hearings on February 8 focusing on H.R. 3460 and other proposals to exempt certain CIA operational files from the search and review process of the Freedom of Information Act. The full Committee will consider the Subcommittee's recommendations soon thereafter.

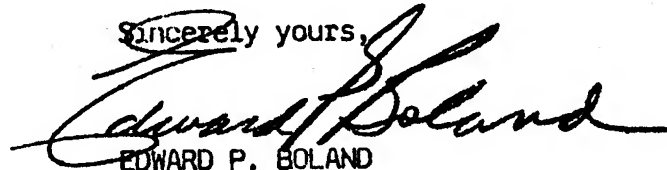
In connection with these deliberations, I ask that you provide the Committee with the following information:

- (1) List each pending FOIA case to which the CIA is a party and explain how and why each would be affected by passage of H.R. 3460, H.R. 4431, or S. 1324.
- (2) The attached list contains information released by the CIA pursuant to FOIA requests. Please state your opinion as to how each of the requests would have been treated if H.R. 3460, H.R. 4431, or S. 1324 had been in effect at the time they were made.

If you have any questions concerning this matter, please contact Bernard Raimo, Subcommittee Counsel, or Michael J. O'Neil, the Committee's Chief Counsel.

With every good wish, I am

Sincerely yours,


EDWARD P. BOLAND
Chairman

Attachment

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Remarks

Executive Secretary
1/24/84
Date

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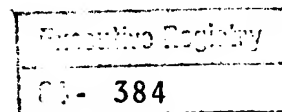
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WASHINGTON, D.C. 20515



THOMAS K. LATIMER, STAFF DIRECTOR
MICHAEL J. O'NEIL, CHIEF COUNSEL
STEVEN K. BERRY, ASSOCIATE COUNSEL

January 24, 1984

Honorable William J. Casey
Director of Central Intelligence
Washington, D.C. 20505

Dear Mr. Casey:

On Wednesday, February 8, 1984, the Subcommittee on Legislation of the Permanent Select Committee on Intelligence, chaired by Representative Romano L. Mazzoli, will hold public hearings on proposals to exempt certain CIA operational files from search, review and disclosure under the Freedom of Information Act.

The hearings will focus on H.R. 3460, introduced by Mr. Mazzoli and H.R. 4431, introduced by Mr. Whitehurst (copies of which are attached). The latter is substantially similar to S. 1324, the Senate-passed bill.

I invite you or an appropriate designee to give testimony on this issue before the Subcommittee at 9:00 a.m. on February 8.

It is requested that your written statement be submitted to the Subcommittee no later than noon on Monday, February 6.

If you have any questions, please contact Subcommittee Counsel, Bernard Raimo, at 225-7311, or the Committee's Chief Counsel, Michael J. O'Neil at 225-4121.

With every good wish, I am

Sincerely yours

EDWARD P. BOLAND
Chairman

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98TH CONGRESS
1ST SESSION

H. R. 4431

IN THE HOUSE OF REPRESENTATIVES

Mr. WHITEHURST introduced the following bill; which was referred jointly to the Committees on Government Operations and the Permanent Select Committee on Intelligence

A BILL

To amend the National Security Act of 1947 to regulate public disclosure of information held by the Central Intelligence Agency.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Intelligence Information
4 Act of 1983".

6 SEC. 2. (a) The Congress finds that—

7 (1) the Freedom of Information Act is providing
8 the people of the United States with an important
9 means of acquiring information concerning the work-

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98TH CONGRESS
1ST SESSION

H. R. 3460

To amend the National Security Act of 1947 to regulate public disclosure of information held by the Central Intelligence Agency, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 29, 1983

Mr. MAZZOLI introduced the following bill; which was referred jointly to the Permanent Select Committee on Intelligence and the Committee on Government Operations

A BILL

To amend the National Security Act of 1947 to regulate public disclosure of information held by the Central Intelligence Agency, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Intelligence Information
4 Act of 1983".

5 SEC. 2. (a) The National Security Act of 1947 is
6 amended by adding at the end thereof the following new title:

GR FILE
JHLW

23 January 1984

OLL: 84-0204

MEMORANDUM FOR: Deputy Director of Central Intelligence
FROM: Director, Office of Legislative Liaison
SUBJECT: HPSCI Hearings on our FOIA Bill

We have been told informally that the HPSCI has tentatively scheduled hearings on our FOIA Bill for 6 and/or 8 February. We expect that you will be invited to testify.



Clair E. George

cc: DCI
EXDIR
SA/DCI/IA

DCI
EXEC
REG

F-100